

House Bill 368

By: Representatives Collins of the 27<sup>th</sup>, Martin of the 47<sup>th</sup>, Day of the 163<sup>rd</sup>, and Harbin of the 118<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 2 of Title 35 of the Official Code of Georgia Annotated, relating to the  
2 Department of Public Safety, so as to allow the commissioner of public safety, with the  
3 approval of the Board of Public Safety, to sell or trade-in surplus motor vehicles and use the  
4 proceeds of the sale or trade-in towards the purchase of new motor vehicles; to provide that  
5 the commissioner, with the approval of the board and subject to available funds, shall have  
6 the discretion to determine when to purchase new motor vehicles for the department; to  
7 provide for related matters; to provide for an effective date; to repeal conflicting laws; and  
8 for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Chapter 2 of Title 35 of the Official Code of Georgia Annotated, relating to the Department  
12 of Public Safety, is amended by adding a new Code section as follows:

13 "35-2-50.1.

14 (a) Notwithstanding the provisions of Code Sections 35-2-50 and 50-5-17, the  
15 commissioner, subject to approval by the board, shall have the power to sell or trade-in  
16 surplus motor vehicles no longer needed by the department and use the proceeds from the  
17 sale or trade-in towards the purchase of new motor vehicles by the department.

18 (b) The commissioner, subject to approval by the board and available funds, shall have the  
19 power to determine, in his or her discretion, when the department needs to purchase new  
20 motor vehicles for use by the department.

21 (c) The acquisition and disposition of motor vehicles by the department shall not be  
22 subject to Article 4 of Chapter 5 of Title 50, relating to disposition of surplus state  
23 property, and shall not be subject to the approval or policies of any other entity of the  
24 executive branch, but purchasing shall remain subject to Part 1 of Article 3 of Chapter 5  
25 of Title 50, relating to state purchasing.

1 (d) The commissioner, subject to approval by the board, shall promulgate rules and  
2 regulations to implement the provisions of this Code section."

3 **SECTION 2.**

4 This Act shall become effective upon its approval by the Governor or upon its becoming law  
5 without such approval.

6 **SECTION 3.**

7 All laws and parts of laws in conflict with this Act are repealed.